



2123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/577,118  
Filing Date 5/23/00  
Inventorship Zizys et al.  
Applicant Microsoft Corporation  
Attorney's Docket No. MS1-517US  
Title: Load Simulation Tool for Server Resource Capacity Planning

**TRANSMITTAL LETTER AND CERTIFICATE OF MAILING**

To: Commissioner of Patents and Trademarks,  
Washington, D.C. 20231

From: James R. Banowsky (Tel. 509-324-9256; Fax 509-323-8979)  
Lee & Hayes, PLLC  
421 W. Riverside Avenue, Suite 500  
Spokane, WA 99201



22801

PATENT TRADEMARK OFFICE

The following enumerated items accompany this transmittal letter and are being submitted for the matter identified in the above caption.

1. Transmittal letter including Certificate of Mailing
2. Petition to Correct Inventorship
3. Fee Transmittal
4. Check in the Amount of \$130.00
5. Executed Declaration
6. Statement Under 37 CFR 3.73(b)
7. Return Post Card

Large Entity Status ☒ [x]

Small Entity Status ☐ [ ]

*Applicant hereby requests an extension of time in any case such an extension is necessary. The fee should be charged to the Deposit Account indicated below.*

The Commissioner is hereby authorized to charge payment of fees or credit overpayments to Deposit Account No. 12-0769 in connection with any patent application filing fees under 37 CFR 1.16, and any processing fees, including any necessary extension fees under 37 CFR 1.17.

Date: 10-18-01

By:

James R. Banowsky  
Reg. No. 37,773

**CERTIFICATE OF MAILING**

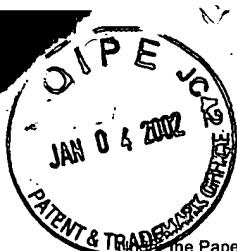
I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service first class mail in an envelope addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the below-indicated date.

Date: 10/18/01

By:

Dana L. Calhoun

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JAN 14 2002  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 130<sup>00</sup>

## Complete if Known

Application Number 09/577,118  
Filing Date 5/23/2000  
First Named Inventor Odhner  
Examiner Name  
Group Art Unit  
Attorney Docket No. MSI-51745

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 12-0769  
Deposit Account Name Lee & Hayes, PLLC

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) 0

### 2. EXTRA CLAIM FEES

Total Claims  -20\*\* =  X  18 =   
Independent Claims  -3\*\* =  X  84 =   
Multiple Dependent Claims  =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

\*for number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	130
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130<sup>00</sup>

## SUBMITTED BY

Name (Print/Type)

Signature

Registration No.  
(Attorney/Agent)

Complete (if applicable)

Telephone

Date

(509) 324-9256

10-18-01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Microsoft Corporation

Application No./Patent No.: 09/577,118

Filed/Issue Date: 05/23/2000

Entitled: Load Simulation Tool For Server Resource Capacity Planning

Microsoft Corporation, a corporation, states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
  2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership is \_\_\_\_\_ %.
- in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the United States Patent and Trademark Office at Reel - 011047, Frame 0892, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

10/15/2001  
Date

Daniel D. Croise

Typed or Printed Name

[Signature]  
Signature

Assistant Secretary  
Title

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